The Planning Board held a meeting at 6:30 PM local time Thursday, March 14, 2019 in the Town Hall Auditorium to discuss, in a meeting open to the public, tabled matters and other business that was before it. The Board then held a public hearing meeting at 7:00 PM to hear new applications.

I. CALL TO ORDER:

PRESENT: Allyn Hetzke, Jr.
Bill Bastian
Jim Burton
Bob Kanauer
Terry Tydings

ALSO PRESENT: Zach Nersinger, Town Planner
Mike O’Connor, Assistant Town Engineer
Doug Sangster, Junior Planner
Pete Weishaar, Planning Board Attorney
Alison Sublett, Board Secretary

II. APPROVAL OF MINUTES:

The board voted and APPROVED the draft meeting minutes for February 7, 2019.

Vote: Moved by: Burton Seconded by: Tydings
Chairperson: Hetzke - Aye Bastian - Aye Burton - Aye
Kanauer - Aye Tydings - Aye

Motion was carried.

III. PUBLIC HEARING APPLICATION:

1. Marathon Engineering, 39 Cascade Drive, Rochester, NY 14614, on behalf of Combat construction, Inc., requests an informal discussion before the board with plans for a 75 lot residential subdivision under Town Law §278 with associated site improvements on a total of 90.5 ± acres located at 1394 and 1440 Jackson Road. The properties are now or formerly owned by Lupo Brothers Family Trust, Pridonoff Family Trust, Kasunich Family Trust, Peter Rubino, G. DiPisa, and Santa Puccio, and zoned RR-1. Application #19P-0006, SBL #s 095.03-1-39 and 110.01-1-4.

Matt Tomlinson presented the application to the Board. Also present were Mike D’Amico of Combat Construction and Jake Harrington and Blago Gorevski of Ryan Homes.

- Mr. Tomlinson explained how the submitted conventional plan was designed to establish density for the for the 75 lot subdivision according the RR-1 zoning district and with consideration for the wetlands on the property.
• The requested cluster plan under Town Law §278 proposed lots that were 80 feet wide, as opposed to the 150 foot width required for RR-1. The proposed front setbacks for structures was 40 feet, instead of the 50 foot required setback. Side and rear setbacks were not proposed to differ from that of the residential zoning code.
• Utilities were on or near the site. A low pressure sanitary sewer force main extension was proposed be installed heading west along Plank Road to existing sewers at Shoecraft Road.
• PRC Comments were addressed in writing and with revised plans. Plot plans for the non-traditional shaped lots in the conventional plan were submitted to illustrate how structures would be located on the parcels. Wetlands were identified and mitigation areas were shown on the conventional plan.
• One of the benefits of the cluster plan versus the conventional plan included the reduced length of dedicated roads and utilities from 6,800 feet to 3,450 feet, which would reduce the long-term maintenance costs of the road.
• In addition, where the conventional plan required clearing trees from 80 of the 90 total acres of the property, the cluster plan required 50 acres of trees to be cleared.
• The cluster plan also increased the buffering to existing residential properties.
• The potential impacts to federal wetlands and mitigation for the proposed development would be determined in coordination with the Army Corps of Engineers.

Board Questions:
• Chairman Hetzke asked how the conventional plan proposed to mitigate impacts to the wetlands. Mr. Tomlinson explained the rational for locating a portion of the road and a driveway in the wetland areas. He explained that development in federal wetlands required a mitigation of one-and-a-half replacement ratio, so the 0.6± acres of proposed disturbance would be mitigated with 0.9± acres in the backyards of four of the residential lots near existing wetland areas.
• Board member Burton asked if full basements were proposed for the residences and if deep-hole tests were conducted. Mr. Tomlinson answered some limited deep hole tests were conducted and more would be required as there was evidence of bedrock within the project site, the approximate depth to rock varied from one (1) foot to six (6) feet.
• Board member Burton asked if the depth of bedrock was the reason ejector pumps were proposed. Mr. Tomlinson explained the ejector pumps were recommended by Town staff as an alternative to a new dedicated regional pump station.
• Board member Burton asked at what depth water was found in the deep hole testing. Mr. Tomlinson did not have that information available at that time.
• Board member Kanauer asked if variances were required in the submitted conventional plan. Mr. Tomlinson answered no variances were required in that plan.
• Board member Bastian asked if blasting would be required to install basements. Mr. Nersinger answered blasting was only permitted for the installation of utilities by the Town Code.
• Board member Bastian asked if any blasting was proposed for the development of the site. Mr. Tomlinson explained he anticipated some blasting for utilities; however, the storm and sewer lines were proposed to be shallow.
• Board member Tydings asked if the DEC would look more favorably upon the proposed cluster development. Mr. Tomlinson stated they most likely would as it proposed to avoid the wetlands have less of an environmental impact.

• Board member Tydings asked what was proposed for Lot #75. Mr. Tomlinson explained the use of that lot was yet to be determined.

Public Comments:
• Steve Haak, 1235 Northrup Road, expressed concerns regarding the possible increase in traffic Northrup Road and the proposed new road being used as a cut through to avoid the intersection at Plank Road and Jackson Road.

• Linda Schriever, 1420 Jackson Road, expressed concerns regarding the proposed stormwater management facility and where it discharged to. She was supportive of the proposed cluster plan as it preserved a greater area of green space. She wanted to know what the plan was for Lot #75 on the cluster plan. She wanted to know if access to sewers would be available to her. She requested the Town change the boundaries for permitted hunting to prevent hunting around this development. She was also concerned if the development would change the permitted uses on her property as she kept horses there. Board member Burton asked if Ms. Schriever had water drainage issues on her property. Ms. Schriever answered she did, there was a stream that ran along the northeast border of her property that was less than six (6) inches deep and full in the spring. Her sump pump ran all the time and she had salt deposits on her basement walls.

• Charles Lempke, 1226 Northrup Road, wanted to know if the proposed homes would be marketed for senior citizens. He was also concerned with the increase in traffic as it had increased over the years with development in the area.

• Tom Chrzanowski, 1434 Jackson Road, expressed concerns with the proposed homes having water issues. He explained his house was built at a higher elevation yet he his sump pump runs often.

• Jack Fairhurst, 1486 Jackson Road, also expressed concerns with drainage as he has made upgrades to his sump pump and drainage pipes in order to remediate his wet basement.

Board Deliberation:
• The Board agreed to table this discussion pending further review of the conventional plan.

The Board voted and TABLED the application.

Vote: Moved by: Tydings Seconded by: Hetzke
Motion was carried.
2. John D. Gramlich, 1217 Monroe County Line Road, Webster, NY 14580, requests under Chapter 250 Articles XI-11.2 and XII-12.2 of the Code of the Town of Penfield for Preliminary/Final Subdivision and Site Plan approval for one (1) new residential lot and the construction of a new single family residence with associated site improvements on 22.15 ± acres located at 1217 Monroe County Line Road. The property is now or formerly owned by John and Beverly Gramlich, and zoned RA-2. Application #19P-0003, SBL #096.01-1-2-13.2.

*Board member Burton recused from this application.*

Mr. Gramlich presented the application to the board.

- He proposed to subdivide his current residential lot to build a new home for him and his wife on a new 1.15± acre lot, and sell his current house to his son.
- He received comments back from the Town’s PRC as well as the County DRC and he and his engineer were working on responses to those comments.
- Mr. Gramlich explained he did not wish to increase the size of the proposed new lot to be in greater compliance with the (RA-2) zoning district and as the surrounding area had properties that with less frontage and smaller lot sizes, as delineated in a document submitted on March 13, 2019. He explained his property was on the border of Wayne County, where several of the lots were smaller in size.
- He stated he planned to preserve as many trees as possible during the construction phase as they enjoyed having a wooded lot.
- The existing swale that was proposed to be relocated near the property border was originally installed for the sump pump of the current home, and was usually dry. He had spoken with his neighbor and stated the neighbor was amenable to the relocation of the swale, and he would obtain approval in writing.

**Board Questions:**
- Board member Bastian asked how many variances were required for the proposed site plan. Mr. Gramlich confirmed two variances were required: the first for a lot that is less than 200 feet of frontage, he was requesting relief for approximately 67 feet; and the second variance was for the smaller lot size. He added he had submitted a petition in support of the variances from 21 immediate neighbors on March 13, 2019.

**Public Comments:**
*There were no public comments for this application.*

**Board Deliberation:**
Following the presentation of this application in the public hearing the Planning Board continued its review of during the subsequent work session that evening.

- Mr. Nersinger informed the board the applicant was going before the Zoning Board of Appeals on March 21, 2019.
- The board discussed its conditions of approval to be include in the draft approval resolution template.
The board was in support of granting a conditional approval of the proposed subdivision and site plan pending a decision by the Zoning Board of Appeals for the request area variances at its March 21, 2019 meeting.

The board had no further concerns with this proposed project.

The Board voted and APPROVED the Parts 2 and 3 Short EAF.

Vote: Moved by: Bastian Secended by: Kanauer
Chairperson: Hetzke - Aye Bastian - Aye Burton - Recused
Kanauer - Aye Tydings - Aye

Motion was carried.

The board voted and APPROVED the application with conditions; specifically, pending the decision of the Penfield Zoning Board of Appeals for the request for less lot width and less lot area than required by the Code in the RA-2 district.

Vote: Moved by: Bastian Secended by: Kanauer
Chairperson: Hetzke - Aye Bastian - Aye Burton - Abstain
Kanauer - Aye Tydings - Aye

Motion was carried.

3. BME Associates, 10 Lift Bridge Lane East, Fairport, NY 14450, on behalf of 777 Panorama Properties LLC, requests under Chapter 250 Articles XI-11.2, XII-12.2 and VI-6.2 of the Code of the Town of Penfield for Preliminary/Final Subdivision, Site Plan, and EPOD Permit approval for the construction of a new roadway with utilities to service development lots for a new business park on 55.3± acres located at 125 Panorama Creek Drive. The property is now or formerly owned by 777 Panorama Properties LLC and zoned LI. Application #19P-0007, SBL #138.12-1-1.1.

Peter Vars, BME Associates, presented the application to the Board. Also present were Rich LeFrois and Dutch Summers of 777 Panorama Properties LLC.

- The property had 350± feet of frontage on Panorama Trail South and have access on both this road and Panorama Creek Drive.
- A professional business park was intended for the property with the potential for commercial and retail development along Panorama Trail South; however, flex space would be considered as this use fit into the LI zoning district.
- The project proposed a total of 350,000 square feet of gross building space, which was 6,400± square feet per acre. This was low density by industry standards, which was typically 10,000± per acre.
- The project currently proposed nine new development lots for that could feature one (1) to three (3) story buildings, as determined by topography and use.
The proposed lots varied in size from two (2) to fifteen (15) acres, which may require some modification as development occurred based on tenant needs.

Mr. Vars, explained this application currently before the board is seeking only subdivision and site plan approval to construct the basic infrastructure such as roads, utilities and rough grading of the proposed building lots.

With regards to existing conditions of the site, Mr. Vars highlighted the change in elevation across the property. Beginning at the southwest corner, the elevation descends from 420 feet to 280 feet at Panorama Trail South. Several Environmental Protection Overlay Districts (EPODs) were on the site. These natural features dictated the proposed design of the development.

Mr. Vars explained that separate applications would be required in the future for final site plan approval for the development lots those site plans were prepared for the new buildings.

Approximately 38 acres of disturbance was proposed for this application. Mr. Vars added over 15 acres of this area was previously cleared and graded for the development of Camp Haccamo as well as the former Hilton hotel site along Panorama Trail.

The current project proposed to remove six (6) acres of the total 21 acres of woods on the property. Of the proposed remaining fifteen (15) acres of woods, more may have to be cleared as the properties were developed for buildings.

The proposed development included two (2) dedicated roads. Road A would provide access to Panorama Creek Drive, which had access to a signalized light at the intersection with Panorama Trail South.

Road B would provide direct access to Panorama Trail South, its entrance being offset from the business across the street per the requirements of the Monroe County Department of Transportation (DOT). The applicants had met with the County DOT to determine the proposed design which only allowed right turn exits from Road B and left and right turns in from Panorama Trail South onto Road B.

A left turn lane would be constructed on Panorama Trail as part of the highway improvements for the project.

The right turn lane from Road B onto Panorama Trail South would extend the traffic lane leading to the westbound Route 441 access ramp, per County DOT requirement.

The submitted Traffic Impact Study was based on the 350,000 square foot build-out. The study was being reviewed by the County DOT and State DOT.

The applicant was working with the State and County to obtain the required permits for the highway improvements.

Mr. Vars reviewed the proposed stormwater management plan that included two (2) stormwater facilities designed to be in compliance with the State Department of Environmental Conservation (DEC) requirements.

The proposed site plan was dictated by the existing EPODs on the site and avoided the existing stream corridor and wetlands adjacent to Allen’s Creek.

A minor disturbance to the 100-year floodplain was proposed in the area adjacent to the Thermo-fisher parking lot to develop the road. Mitigations areas have been provided in the site plans.

The applicant planned to submit an application to the Zoning Board of Appeals to request setback variances that would allow the proposed buildings to be closer than 100
feet to the proposed road, as required in the LI district. This proposal would allow buildings to be 50 feet from the road and allow greater buffering to adjacent neighboring properties, and minimize impacts to EPODs.

- The applicant requested the Planning Board declare Lead Agency to SEQRA as the proposal for 350,000 square feet of commercial building space is classified as a Type I action.
- The submitted Part 1 Full EAF and Engineer’s Report were based on the 350,000 square foot build-out.
- Responses to the PRC memo and updated plans were forthcoming.

**Board Questions:**

- Chairman Hetzke asked what types of commercial development were planned. Mr. Vars answered they anticipated restaurant or retail use for the lot adjacent to Panorama Trail South, however, the owners were flexible to allowing office uses in this area.
- Chairman Hetzke asked if any interested tenants had been identified. Mr. Vars answered there had been some interest in office uses for the lots going up the hill on the property. When the Town Board approved EPOD Permit in 2018 it authorized initial clearing for the future road, and the owners were able to gain access that allowed them to show the site to potential clients. This proposed project would allow them to market the properties for tenants/owners interested in developing the lots.
- Chairman Hetzke asked if they had a timeline for the development. Mr. Vars explained the full build-out of the proposed development would be market driven as the lots would be developed individually for specific needs; therefore the projected timeline was anticipated to last three (3) to five (5) years.
- Chairman Hetzke asked how much of the 15 acres of woods proposed to remain with the proposed application were anticipated to remain for the completion of the development. Mr. Vars explained the majority of the remaining woods was likely to remain as they were located on steep slopes that were not easily developable.
- Chairman Hetzke asked if pedestrian access would be considered for the property to allow people to walk across the project site. Mr. Vars stated the applicant was willing to consider sidewalk installation along one side of the dedicated roads.
- Board member Kanauer asked what the views of taller buildings would be from the neighboring residential areas. Mr. Vars answered the existing trees and topography in the area would likely obstruct the majority of the buildings from the mobile home park. The applicant planned to provide cross-sections for line of sight of the buildings along the northwest corner of the property adjacent to Allen’s Creek Valley.
- Board member Tydings asked if any landscaping was proposed as part of this project along the road and cul-de-sac. Mr. Vars answered any landscaping would be provided with site plans for final approvals of the buildings.
- Board member Burton asked if the locations of the buildings were conceptual. Mr. Vars explained the proposed building layout was in response to the Board’s Sketch Letter regarding possible building layout. The potential users of the site may require more than one (1) lot and therefore may change the proposed configuration of the buildings. Ultimately, the end result for the build out for the entire development was planned to be similar to Linden Oaks Office Park.
Board member Burton asked how the applicant would envision the project getting approved for each building as it applied to the environmental impact determination and requirements that may change based on the potential users of the site. Mr. Vars explained the applicant desired to have buildable lots ready with access to all utilities based on the maximum build-out for 350,000 square feet of gross floor space. The Board’s SEQRA review would therefore account for the potential of 350,000 SF of building space with the current preliminary/overall application. Later, when the owners were preparing to construct a building, a new site plan application would be submitted for the Board’s review. This would be required for all buildings. Each time a building site plan application was made the square footage would be subtracted from the total so the overall development could not exceed the 350,000 square foot maximum figure.

Board member Bastian asked what the proposed architectural style would be, if that was known. Rich LeFrois, of LeFrois Builders, answered they planned the development to be a high-end office park. Mr. Vars added the park was planned to be similar to LeFrois’ Calkins Road Office Park development.

Public Comments:

Chuck Lewis, 56 Water View Circle, asked if the properties were proposed to be rental space. He was also concerned with noise impacts for activities like garbage pick-up and construction activity and asked if these could be delayed until later in the day. Mr. Vars answered this would be determined by demand. The owners were open to selling the developed lots or renting them. He added the owners could restrict times for garbage pick-up.

Marlene Shaddock, 59 Winding Creek Lane, expressed concerns regarding noise from construction and asked if the start time could be delayed later than 7:00 AM. She requested clarification regarding the setbacks of the buildings, Mr. Nersinger explained the proposed setbacks.

Bill Shea, 65 Water View Circle, was concerned with runoff from the development contaminating the stream as he had observed Allen’s Creek becoming muddy during the initial clearing of the property to create access last year.

Bob Sandholzer, 57 Water View Circle, was the president of the Allen’s Creek Valley HOA and spoke on their behalf. He explained the residents were concerned with the density of uses, as well as lighting, noise and pollution to the stream. The association desired a later start time for construction be considered for this application. Board member Burton asked if the applicant had continued open dialogue with the HOA. Mr. Sandholzer answered they had communicated with the applicants during the earlier phase of the project and they had good communication with the Town staff. Mr. Vars explained the Town staff had been their conduit to facilitate communications with the residents.

David Perlman, 62 Winding Creek Lane, expressed concerns regarding the undetermined elements of the overall development such as building configurations and tenants. He was also concerned with noise impacts of restaurants and possible outdoor music.

Tony Mraz, 11 Sky Ridge Drive, was concerned with potential flooding in lower-lying adjacent properties due to the increase in impervious surfaces.
• Dee Mosteller, 58 Winding Creek Lane, wanted to know what the permitted hours of construction work were. Mr. Vars answered the hours were 7:00 AM to 7:00 PM on weekdays and 8:00 AM to 4:00 PM on Saturdays, no work was permitted on Sundays and special permission to work outside those hours was granted by the Town Board. Ms. Mosteller desired a later start time for construction.

• Jon Gehret, 53 Sky Ridge Drive, asked if the board could prevent the buildings from being as tall as six (6) stories, as allowed by the Code for the LI district. Chairman Hetzke explained that would likely be reviewed at the time buildings were proposed.

Board Deliberation:
Following the presentation of this application during the public hearing and subsequent discussion in a work session, the Penfield Planning Board offered the following comments.

• The board discussed the proposed preliminary overall plan and discussed how the process for Final Site Plan applications for the buildings would be reviewed for approval.

• Board member Burton asked if a lighting district would be established for this project. Staff did not have an answer at that time but would recommend this be established.

• The board requested a lighting plan for the application.

• Board member Burton requested a tree preservation plan.

• The board discussed hours of permitted construction work and agreed the Town Code was acceptable, the Allen’s Creek Valley HOA could seek a private agreement with the developer regarding this concern.

The board voted and classified the proposed project as a Type I Action pursuant to SEQRA, and directed staff to send Lead Agency letters to potential involved and interested agencies for the coordinated environmental review of the application.

Vote: Moved by: Hetzke Seconded by: Bastian

Chairperson: Hetzke - Aye Bastian - Aye Burton - Aye
Kanauer - Aye Tydings - Aye

Motion was carried.

The board voted and TABLED the application pending the review and/or submission of the following items:
1. Revised site plans and written responses per the comments issued by the PRC in its memo dated March 1, 2019.
2. Provide additional information about the following site plan items with respect to how each can be addressed or implemented for this project and for future site plans of the development lots.
   a. Emergency services and vehicle access
   b. Site lighting for the dedicated road
   c. Tree preservation and replanting plans
4. DSB Engineers, 2394 Ridgeway Avenue, Rochester, NY 14626, on behalf of Redstone Builders, Inc., requests under Chapter 250 Articles XI-11.2, XII-12.2, and VI-6.2 of the Code of the Town of Penfield for Preliminary/Final Subdivision, Site Plan, and EPOD Permit approval for a thirteen (13) lot single family residential subdivision under Town Law §278 with associated site improvements on a 10.19 ± acres located at 1725 Scribner Road. The property is now or formerly owned by R.B. Land Company, LLC and zoned R-1-20. Application #19P-0004, SBL #124.05-1-1.

Walter Baker, DSB Engineers, presented the application to the Board. Also present was Steve Philippone of R.B. Land Company, LLC.

- Mr. Baker explained the configuration of the proposed lots under the Town Law §278 cluster plan. The proposed lots varied in width from 75 feet to 115 feet.
- Lot #13, which was greater than three (3) acres in area, was proposed to be deed restricted to prevent development within the wooded area on the rear of the property.
- Lot #14 was proposed to be dedicated to the Town as it contained the stormwater management pond and access to the pond from the proposed road.
- The road was proposed to be dedicated to the Town.
- All public utilities were available for the site.
- The applicant had no concerns addressing all the PRC comments.

Board Questions:

- Board member Burton asked how neighbor concerns regarding buffering to the west and north of the property had been addressed. Mr. Baker referred to the colored site plan that showed areas of darker green along the borders of the property where vegetation was proposed to be preserved.
- Board member Burton asked how much vegetation would buffer the property border on the north side that was adjacent to the turn-around. Mr. Baker answered it was approximately 25 feet, the lots were made wider in response to that concern so more vegetation could remain. Mr. Philippone added he would be willing to allocate one (1) of the required two (2) trees required for each lot and plant that number of trees along the north border.
- Chairman Hetzke asked what vegetation was proposed to remain along the west property line. Mr. Baker explained there was Town-owned land between this property and the rear residential neighbors and the minimum setback under Town Law §278 was twenty (20) feet, so there would be at least twenty (20) feet of undisturbed vegetation along the rear of the lots.
• Chairman Hetzke asked how deep the Town-owned property was between the residential properties. Mr. Baker explained the depth varied but there was a drainage swale through that area.

• Chairman Hetzke asked if more of Lot #13 could be dedicated to the Town. Mr. Nersinger explained the Town staff discouraged this proposal as the Town desired to limit the area to be maintained.

Public Comments:
• Andrew Davidson, 20 Fallbrook Circle, was supportive of housing market for senior citizens and asked if the Town could restrict ownership to only allow this age group to reside in the proposed residences. Mr. Nersinger explained the Town had no jurisdiction over who occupied residences or architectural design of the homes.

• Holly Snow, 22 Fallbrook Circle, was not supportive of the project as she preferred the area to remain undeveloped. She was also concerned with the proposed pond with regards to general health, safety, and drainage.

• Tim Andres, 6 Tree Top Drive, asked for the setback for structures from the rear lot lines. Mr. Philippone explained their typical homes ranged from 20 to 60 feet deep, including garages and porches and 60 to 65 feet wide. The front setback was at least 35 feet so the proposed rear setback for residences was approximately 70 feet. Mr. Andres asked if the 20 foot vegetation buffer in this area could be cleared and developed by a future homeowner. Mr. Nersinger explained structures such as decks, sheds, and pools all had required setbacks under the Town Code. Mr. Andres asked if a tall berm could be considered along the rear border to ensure a permanent buffer.

• Melissa Brown, 1743 Scribner Road, had questions regarding the amount of proposed vegetated buffer along the east side of the property. She asked if the road would be public or private, the board answered it was proposed to be dedicated. She was also concerned with impacts to the creek that travelled across the property. Mr. Nersinger explained a portion of the creek was to be piped and portions were proposed to be cleaned per Town requirements to ensure no negative drainage impacts were caused to neighboring properties.

• Ron Rietz, 1689 Scribner Road, asked why the conventional plan was not considered for this project rather than the cluster plan. Mr. Nersinger explained the process of reviewing the conventional plan to establish density in order for the developer to propose the cluster plan under Town Law §278. Mr. Rietz was concerned with the proposed hammerhead and the possibility of plowed snow being pushed onto his property. Mr. Nersinger explained the plows would not intentionally push snow into vegetated areas. Mr. Rietz explained the existing vegetation had not been maintained and were not in good condition and was not a desirable buffer. He requested the board consider extending the sidewalk to the school crosswalk as part of this development and asked if street lights and storm sewers would be extended to neighboring properties as part of this project.

• Tony Audi, 14 Fallbrook Circle, was concerned with negative impacts to the creek as the stormwater pond would discharge to the creek. He was also concerned with how the Town plow vehicle would navigate the proposed turn-around. He requested the developer plant a vegetated buffer that was taller than six (6) feet along the rear properties of the proposed residences.
Applicant Responses:
- Mr. Baker explained the developer proposed to install sidewalks along the frontage of property along Scribner Road and desired a waiver for sidewalks within the development area.

Board Deliberation:
Following the presentation of this application during the public hearing and subsequent discussion in a work session, the Penfield Planning Board offered the following comments.
- The board discussed the presented colored site plan and agreed more information was needed regarding the existing vegetation to determine whether the proposed buffering was sufficient.
- The board was not supportive of a complete sidewalk waiver and supported sidewalks on one side of the proposed road at a minimum.
- The board discussed the pedestrian connection and possible extension to the school crosswalk.
- The board discussed the benefits of requiring a conservation easement versus a deed restriction on the rear of proposed Lot #13.

The board voted and TABLED the application pending the review and/or submission of the following items:

1. Provide revised site plans with responses to comments made in the PRC memo dated February 28, 2019.
2. An updated site plan that is in accordance with the Town’s Sidewalk Policy. The Board was made aware by the applicant that they intend to submit a sidewalk waiver to the Town Board to seek relief from the policy. As part of the Town Board’s sidewalk waiver review process, the Planning Board would be supportive of providing sidewalks in locations as follows:
   d. At the frontage of the property along Scribner Road.
   e. At least one side internally along the proposed dedicated road.
   f. In lieu of installing sidewalks on both sides of the internal dedicated road, a new sidewalk should be installed along the west side of Scribner Road leading to the existing crosswalk located approximately 120 feet to the north of the project site.

The sidewalk connection would provide a safe pedestrian pathway from the project site to the existing crosswalk to allow residents to access Bay Trail Middle School and Scribner Road Elementary School. This is an important area to fill in gaps of sidewalks as the Town is currently reviewing pedestrian access to the intersection of Scribner Road and Atlantic Avenue.

3. A formal landscape plan that complies with the requirements of Section 13 of the Town of Penfield Design and Construction Specifications for street tree installation, and is in accordance with Tree Preservation Guidelines. The plan shall provide revegetation along the proposed limits of disturbance of the project to reestablish a tree lined buffer as part of the required benefits to the surrounding area pursuant to Town Law §278. An emphasis shall be placed on plantings near the road’s
turnaround at the north end of the site. The approval of a landscape plan shall be subject to the review of the Town’s Landscape Consultant. The Board is awaiting the submittal of a report from the Conservation Board, which is expected to be available for the March 28, 2019 work session meeting.

4. The Board directed staff to begin drafting an approval resolution and parts 2 and 3 of the short EAF for its review and consideration at the March 28, 2019 meeting.

Vote: Moved by: Burton Seconded by: Tydings

Motion was carried.

5. DSB Engineers, 2394 Ridgeway Avenue, Rochester, NY 14626, on behalf of Redstone Builders Inc., requests under Chapter 250 Articles XI-11.2, XII-12.2, and VI-6.2 of the Code of the Town of Penfield for Final Subdivision, Site Plan, and EPOD Permit approval for seven (7) single family residential homes with associated improvements on 11.12 ± acres located at 899 Plank Road, to be known as Crowne Pointe Subdivision, Section 4. The property is now or formerly owned by Plank Road Development LLC and zoned R-1-20. Application #19P-0005, SBL #094.18-1-6.001.

Walter Baker, DSB Engineers, presented the application to the Board. Also present was Steve Philippone of Plank Road Development LLC.

- Mr. Baker explained the board had previously approved this phase for thirteen (13) lots with the overall Preliminary application in 2006 under Town Law §278. The developer wished to reduce the number of lots to seven (7) larger lots, remove the previously proposed cul-de-sac, and provide a stubbed road with a hammerhead turn-around for future connection to the south.
- The proposed lots were a minimum of 150 feet wide.
- The road was proposed to be dedicated to the Town
- Public utilities were available to the site.

Board Questions:
- Board member Kanauer asked if the proposed stormwater facility would be dedicated to the Town per PRC comments. Mr. Baker explained the applicant proposed to provide a drainage easement and keep the pond private, the applicant would work with Town staff to resolve that question.

Public Comments:
There were no public comments for this application.
Board Deliberation:
Following the presentation of this application during the public hearing and subsequent discussion in a work session, the Penfield Planning Board offered the following comments.

- Mr. Nersinger reviewed the previous approval which included the SEQR determination in 2006.
- The board had no concerns with the request for fewer lots and asked staff to review the question of ownership for the pond.

The board voted and TABLED the application pending the review and/or submission of the following items:

1. Submission of revised site plans with responses to comments made in the PRC Memo date February 28, 2019.
2. The Board directed staff to prepare a draft approval resolution for its review and consideration at the March 28, 2019 meeting.

Vote:

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<td>Kanauer</td>
<td>Tydings</td>
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Motion was carried.

IV. TABLED APPLICATION:

1. T.Y. Lin International, 255 East Avenue, Rochester, NY 14604, on behalf of Ronald A. Wilbert, requests under Chapter 250 Articles XII-12.2 and VI-6.2 of the Code of the Town of Penfield for Preliminary/Final Site Plan approval and an EPOD Permit to allow for the expansion of a vehicle storage area with associated site improvements on a 17.94 +/- acre property located at 1272 Salt Road and a portion of the 9.97 +/- acre property located at 1301 Salt Road. The properties are now or formerly owned by Wilbert’s Automotive LLC and Wilbert’s Tree Farm LLC and zoned RA-2. Application #19P-0002, SBL #s 095.04-2.1 and 095.04-2-2.4.

Board members Burton and Kanauer recused from this application.

- Mr. Nersinger informed the board the Lead Agency Letter had been sent to involved and interested agencies following the February 7, 2019 meeting, the thirty-day comment period had passed. Responses had been received from several agencies supporting the Board’s request to take Lead Agency on the application.
- Mr. Nersinger explained the applicant was working on responses to board and staff comments with updated site plans. The applicant had submitted an application to the Penfield Zoning Board of Appeals (ZBA) to be heard at their April 18, 2019 public hearing for an Expansion to a Pre-Existing Non-Conforming Use.
• Board member Tydings asked when a tour of the facility would be scheduled for Planning and Zoning Board members. Mr. Nersinger explained the tour would be scheduled following the ZBA’s April hearing of the application.

The board voted ACCEPTED lead agency pursuant to SEQRA for the review of this application as a Type 1 Action.

Vote: Moved by: Tydings Seconded by: Bastian
Chairperson: Hetzke - Aye Bastian - Aye Burton - Recused Kanauer - Recused Tydings - Aye

Motion was carried.

The board voted and TABLED the application pending the review and/or submission of the following items:

1. Provide revised site plans and written responses per the comments issued by the Project Review Committee (PRC) in its memo dated February 1, 2019. In addition, per the comments of the Board, provide a striped and signed crosswalk for pedestrians traveling from the southern parking area, across the eastern frontage of the new shipping/receiving building, to the main office building.
2. Provide a phasing timeline for the anticipated build-out of all proposed improvements associated with the project.

Vote: Moved by: Tydings Seconded by: Bastian
Chairperson: Hetzke - Aye Bastian - Aye Burton - Recused Kanauer - Recused Tydings - Aye

Motion was carried.

V. ACTION ITEMS:

1. 1280 Creek Street, Kidtopia site plan approval extension.

• Mr. Nersinger informed the board the applicant was seeking a 180-day site plan approval extension for their project that was approved February 22, 2018.
• The Board had no concerns with the request.

The board voted and APPROVED the 180-day site plan approval extension.

Vote: Moved by: Burton Seconded by: Bastian

Motion was carried.
2. 2035 Five Mile Line Road, Site plan approval extension.

- Mr. Nersinger informed the board the applicant was seeking a 90-day approval extension that was approved April 12, 2019 in order to begin site work this year.
- The Board discussed a 180-day approval extension to ensure the applicant had ample time to commence work on the property.
- The Board had no concerns with the request.

The board voted and APPROVED the 180-day site plan approval extension.

Vote: Moved by: Burton Seconded by: Bastian
Chairperson: Hetzke - Aye Bastian - Aye Burton - Aye
Kanauer - Aye Tydings - Aye

Motion was carried.

3. 1773 & 1841 Empire Boulevard, Delta Sonic resubdivision.

- Mr. Nersinger informed the board the applicant submitted a plat map to merge the two properties into a single parcel for the expansion of the car wash facilities that was approved November 8, 2018.
- The Board had no concerns with the request.

The board voted and APPROVED the authorization for the Chairman to sign the submitted plat map.

Vote: Moved by: Burton Seconded by: Kanauer
Chairperson: Hetzke - Aye Bastian - Aye Burton - Aye
Kanauer - Aye Tydings - Aye

Motion was carried.

There being no further business to come before the Board, this meeting was adjourned at 10:39 PM.

These minutes were adopted by the Planning Board on March 28, 2019.